

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26830 of 2022

Arising Out of PS. Case No.-392 Year-2021 Thana- AMARPUR District- Banka

-
1. VIJAY KUMAR SAH S/o Arjun Prasad Sah R/o village- Bangali Tola, Amarpur, P.S.- Amarpur, District- Banka
 2. Santosh Kumar S/o Mohan Ram Proprietor of Mata Optical, Amarpur, R/o village- Amarpur, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 419, 420, 467, 468 of the Indian Penal Code and Section 24 of the Medical Council Act.

Prosecution case, in short, is that the informant during inspection found that the petitioners were running private clinic and optical shop without any valid license.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. The petitioner No.1 is a qualified dental doctor. He has enclosed his certificate, which is Annexure 2 to the present application. Petitioner No.2 has an optical shop, in which only frame of optical are being sold, which were prescribed by the specialist doctor of eye. For ulterior motive the present case has been instituted by the informant.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. case No.392/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

